

# Anglican Education Commission Ordinance 1994

No 24, 1994

## Long Title

An Ordinance to change the name of The Council of the Board of Education of the Diocese of Sydney and to amend the Board of Education Ordinance 1919.

## Preamble

Whereas it is expedient that the name of The Council of the Board of Education of the Diocese of Sydney be changed and amendments be made to the Board of Education Ordinance 1919.

Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod Hereby Ordains Declares Directs and Rules as follows.

## Citation

1. This ordinance may be cited as the "Anglican Education Commission Ordinance 1994".

## Interpretation

2. The Board of Education Ordinance 1919 is hereinafter called "the Principal Ordinance".

## Change of Name

3. (1) The name of the body corporate known as "The Council of the Board of Education of the Diocese of Sydney" is changed to "Anglican Education Commission Diocese of Sydney".

(2) A reference in any ordinance to The Council of the Board of Education of the Diocese of Sydney or to the Board of Education of the Diocese of Sydney is to be read and construed as a reference to Anglican Education Commission Diocese of Sydney.

## Amendment of the Principal Ordinance

4. The Principal Ordinance is amended so as to be identical to the form of ordinance which constitutes the schedule to this ordinance.

## Transitional

5. The members of the Council referred to in clause 3 of the Principal Ordinance at the date on which this ordinance takes effect shall, notwithstanding clause 5 of the schedule to this ordinance, until the first day of the next ordinary session of Synod, constitute the members of the Commission and those persons are for the purposes of clauses 7 and 8 of the schedule deemed to be the members of the Commission elected under paragraph (b) of clause 5 of the schedule.

## Schedule Table of Provisions

Clause	
1	Citation
2	Definitions
3	Objects
4-7	Government
8-9	Casual Vacancies
10-12	Chair
13	Quorum
14-15	Director of Education
16	Report to Synod
17	Affixing the Common Seal
18	Indemnity

## Citation

1. This ordinance may be cited as the "Anglican Education Commission Ordinance 1919".

## Definitions

2. In this ordinance -

"Archbishop" means the Archbishop of Sydney for the time being;

"Commission" means Anglican Education Commission Diocese of Sydney;

"Director of the Anglican Youth Department" means the person appointed Director under the Anglican Youth Department Ordinance 1975 or the person representing the Anglican Youth Department appointed by the Commission on the recommendation of the Director of the Anglican Youth Department.

## Objects

3. The objects of the Commission shall be the promotion of education within the Diocese of Sydney in accordance with the fundamental declarations and ruling principles of the Anglican Church of Australia by such means as the Commission shall think expedient including -

## Anglican Education Commission Ordinance 1994

- (a) support for parishes in their educational ministry with children, youth and adults;
- (b) support of Anglican parents in their choice of education for their children;
- (c) support of Anglican schools in their educational ministry;
- (d) support of Special Religious Education in State schools;
- (e) provision of training in Christian and general religious education in the primary, secondary and tertiary sectors;
- (f) study and research in Christian and general religious education;
- (g) representation to Government and statutory authorities concerning issues in education;
- (h) preparation and dissemination of information on educational issues;
- (i) publication and distribution of religious and educational materials;
- (j) provision for the official recognition of schools as Anglican Church schools.

### Government

4. The Commission shall be governed and controlled by the Archbishop as President and 17 other persons who shall be the members of the Commission.
5. The 17 members of the Commission shall be -
  - (a) 3 persons appointed by the Archbishop for a term of up to 3 years, including at least one clerical and one lay person;
  - (b) 12 persons elected by Synod for a term of up to 3 years being 6 clerical and 6 lay persons;
  - (c) the Director of Education appointed pursuant to clause 14; and
  - (d) the Director of the Anglican Youth Department.
6. Four of the persons referred to in clause 5(b), being 2 clergy and 2 lay persons, shall retire on the first day of each ordinary session of Synod. Those who retire shall be those who have held office the longest since last being elected but, in the case of competition, the question as to who shall retire, in the absence of any agreement between the members concerned, shall be determined by lot.
7. The Commission shall have authority generally to do all things properly suitable to the carrying out of the objects aforesaid including -
  - (a) receipt and application of moneys for the purposes of carrying out the objects of the Commission;
  - (b) investment of moneys not immediately required in accordance with the Investment of Church Trust Property Ordinance 1990;
  - (c) appointment of such honorary and stipendiary officers for such terms and upon such conditions as the Commission thinks fit;
  - (d) government and control of the affairs and assets of the Commission;
  - (e) control over the meetings of the Commission including power to co-opt as non-voting members for periods up to 3 years such persons as may seem to the majority of the Commission to be appropriate;
  - (f) appointment and regulation of committees (whose members need not be a member of the Commission) with authority to act within the policy of the Commission and under the direction of the Commission.

### Casual Vacancies

8. A member elected or appointed under clause 5 shall be deemed to have vacated office upon -
  - (a) resignation in writing addressed to the Archbishop (if appointed under clause 5(a)) or the Diocesan Secretary (if elected under clause 5(b));
  - (b) death;
  - (c) bankruptcy or assignment for the benefit of creditors;
  - (d) loss of qualification for the office;
  - (e) incapacity to act or absence from meetings continued for a period of 3 months without the leave of the Commission;
  - (f) a resolution by the Synod or by the Standing Committee when the Synod is not in session declaring a vacancy and specifying the person and the reason therefor; or
  - (g) reaching the age of 72 years.
9. (1) A casual vacancy occurring among the members of the Commission elected under clause 5(b) may be filled by the Standing Committee of Synod.  
(2) The tenure of office of a person so elected shall be until the next ordinary session of Synod.

### Chair

10. A Chairperson and a Deputy Chairperson shall be elected by the Commission for a term of 3 years from among its members on the first meeting of the Commission after the first ordinary session of each Synod.
11. In the absence of the President from any meeting of the Commission, the Chairperson or the Deputy Chairperson shall preside.
12. In the absence of the President, the Chairperson and the Deputy Chairperson from any meeting of the Commission, the members present shall from among their members elect a chairperson of the meeting.

## **Anglican Education Commission Ordinance 1994**

### **Quorum**

13. The quorum of a meeting of the Commission shall be 8 persons.

### **Director of Education**

14. The Director of Education shall be appointed by the Archbishop with the agreement of the Commission for such terms and upon such conditions as the Archbishop with the agreement of the Commission shall think fit.
15. The Director of Education shall be the Chief Executive Officer of the Commission and shall be responsible to the Commission for the operation and management of the Commission.

### **Report to Synod**

16. In reporting to the Synod and the Standing Committee, the Commission must comply with the Accounts Ordinance 1975 and supply any information requested by the Synod or the Standing Committee.

### **Affixing the Common Seal**

17. Every instrument to which the common seal of the Commission is required to be affixed shall be signed by 2 members of the Commission pursuant to a resolution passed at a properly constituted meeting of the Commission.

### **Indemnity**

18. Each member of the Commission is indemnified out of the assets of the Commission against all loss or liability which that member of the Commission or any of the members of the Commission may have incurred for or on behalf of the Commission and which they or any of them may be subject through being a member of the Commission, other than any loss or liability caused by the wilful act or neglect of the Commission or a member of the Commission.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

Robert Tong  
Deputy Chairman of Committees

I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 20 June 1994.

W.G.S. Gotley  
Secretary

I Assent to this Ordinance.

R.H. Goodhew  
Archbishop of Sydney  
20/6/1994